

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

GEORGE-THOMAS-LAVERN:
SCHNEIDER,

Plaintiff,

vs.

Civil No. 05-1093 WJ/RHS

STATE OF NEW MEXICO,
JENNIFER R. FULKS,
MADELINE MELKA,
KEVIN RAY SWEAZEA, and
JOHN DOES 1-10,

Defendants.

MEMORANDUM OPINION AND ORDER
DISMISSING CASE FOR LACK OF SUBJECT MATTER JURISDICTION

THIS MATTER comes before the Court *sua sponte*. By Memorandum Opinion and Order filed October 20, 2005, this Court dismissed Plaintiff's Complaint for failing to allege anything that would give rise to federal subject matter jurisdiction based on diversity of citizenship or a federal question. See Docket No. 2. The Court permitted Plaintiff an opportunity to file an amended complaint within 30 days alleging subject matter jurisdiction, and the Court warned Plaintiff that failure to file an amended complaint within 30 days would result in the dismissal of this action in its entirety. See Id.

More than 30 days has elapsed since the entry of the Court's Memorandum Opinion and Order dismissing Plaintiff's original complaint, and Plaintiff has not filed an amended complaint. Accordingly, Plaintiff cause of action is dismissed in its entirety without prejudice for lack of subject matter jurisdiction.

IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE